IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.19364 of 2008
BUTTAN @ BATESHWAR MANDAL & ANR
Versus
THE STATE OF BIHAR
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4 12/08/2008 Heard learned counsel for the petitioners and learned counsel representing the State.

Case under sections 364, 307/34 of the Indian Penal Code and section 27 of the Arms Act has been registered on the allegation of abduction on the point of gun or firearms against these petitioners as well as against Punjabi Mandal, Arbind Yadav and others.

Submission is that the petitioners' case is different from the case of those accused persons whose prayer for bail was rejected by this court. Enmity on account of lodging of Bihpur P.S. Case No. 111 of 1982 and its judgment dated 25.5.1990 in Sessions Trial No. 84 of 1983 was the cause of false implication of the petitioners. Uncle of the informant was accused in that case and the petitioner Bateshwar Mandal was a witness in that case.

So far as the manner of allegation is concerned the petitioners' case is similar to the case of other accused persons whose prayer for bail has been rejected by this court.

Considering the above facts, I am not inclined to enlarge the petitioners on bail. Accordingly, prayer for bail of the petitioners namely, Buttan @ Bateshwar Mandal and Mahendra Mandal is rejected.

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avin. **(Shyam Kishore Sharma, J.)**